

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of New Century Telecom, Inc., (U-5912-C) for Approval of Stock Purchase Agreement and Related Transfer of Control.

Application 02-10-007
(Filed October 8, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
RESCINDING PRIOR RULING ISSUED ON JUNE 15, 2004**

On May 19, 2004, the assigned Administrative Law Judge (ALJ) issued a ruling that directed the Applicant to file an amendment to Application (A.) 02-10-007. The ruling stated that the amendment had to be filed no later than June 3, 2004. The Applicant timely filed the amendment, but a copy of the amendment did not reach the assigned ALJ until June 16, 2004. In the meantime, the assigned ALJ issued a ruling on June 15, 2004, that directed the Applicant to file the amendment (which it already had done on June 3, 2004) or A.02-10-007 would be dismissed. Because the Applicant timely filed the amendment, the ALJ ruling of June 15, 2004, should be rescinded.

Therefore, **IT IS RULED** that the ruling issued by the assigned Administrative Law Judge is June 15, 2004, is rescinded.

Dated June 18, 2004, at San Francisco, California.

/s/ Timothy Kenney
Timothy Kenney
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Rescinding Prior Ruling Issued on June 15, 2004, on all parties of record in this proceeding or their attorneys of record.

Dated June 18, 2004, at San Francisco, California.

/s/ Antonina V. Swansen

Antonina V. Swansen

N O T I C E

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